

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**JAMES E. BOSTIC,**

**Plaintiff,**

**v.**

**TENNESSEE DEPARTMENT OF  
CORRECTIONS, et al.,**

**Defendants.**

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**Case No. 3:18-cv-00562**

**JUDGE CAMPBELL  
MAGISTRATE JUDGE HOLMES**

**ORDER**

Pending before the Court is a Report and Recommendation from the Magistrate Judge (Doc. No. 72), recommending that the Court grant Defendants' Motion for Summary Judgment (Doc. No. 57). The Magistrate Judge found that Plaintiff voluntarily dismissed claims against three defendants – Dillon, Rich, and Nurse Darius – and abandoned all other claims except a claim arising out of a delay in implementing a COPD sleep study. The magistrate judge found that Plaintiff failed to exhaust his administrative remedies related to the sleep study claim as required by 42 U.S.C. § 1997e(a).

The Report and Recommendation advised the parties that any objections to the Magistrate Judge's findings were to be filed within fourteen days of service (Doc. No. 72 at 9). The district court reviews *de novo* any portion of a report and recommendation to which a specific objection is made. Fed. R. Civ. P. 72(b)(1)(C); Local Rule 72.02; 28 U.S.C. § 636(b)(1)(C); *United States v. Curtis*, 237 F.3d 598, 603 (6th Cir. 2001).

The Plaintiff did not file objections to the Report and Recommendation of the Magistrate Judge. Plaintiff has, however, filed several letters related to his current conditions of confinement.<sup>1</sup> (Doc. Nos.

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<sup>1</sup> Plaintiff filed the instant case while he was in the custody of Bledsoe Creek Correctional Complex in Pikeville, Tennessee. Plaintiff was released from custody, but is now confined at the Madison County Jail in Jackson, Tennessee, apparently because of a recent parole violation. The recently filed letters relate to conditions

74-77). In addition, Plaintiff filed a Motion for Alternative Dispute Resolution which appears to be with regard to the claims in this case and also raises issues related to his current confinement. (Doc. No. 80). None of these letters include objections to the Report and Recommendation.

The Court has reviewed the Report and Recommendation (Doc. No. 72) and concludes that it should be **ADOPTED** and **APPROVED**. Accordingly, Defendants' Motion for Summary Judgment (Doc. No. 57) is **GRANTED**. In light of this ruling, Plaintiff's Motion for ADR (Doc. No. 80) is **DENIED**.

This Order shall constitute the final judgment in this case pursuant to Fed. R. Civ. P. 58. The Clerk is directed to close the file.

It is so **ORDERED**.

  
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WILLIAM L. CAMPBELL, JR.  
UNITED STATES DISTRICT JUDGE

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at the Jackson, Tennessee, facility. On January 3, 2019, the Magistrate Judge issued an Order addressing Plaintiff's letters. (Doc. No. 78).